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1940 DUKE STREET  
ALEXANDRIA VA 22314

In re Application of  
Nakashima et al. :  
Application No.: 10/587,256 :  
PCT No.: PCT/JP2006/302946 :  
Int. Filing Date: 20 February 2006 :  
Priority Date: 10 March 2005 :  
Attorney Docket No.: 294085US8PCT :  
For: Battery Residual Quantity Display  
Method And Electronic Equipment :  
DECISION

This is in response to the "Request To Correct Filing Date" filed on 17 August 2009.

### BACKGROUND

This international application was filed on 20 February 2006, claimed an earlier priority date of 10 March 2005, and designated the U.S. The International Bureau transmitted a copy of the published international application to the USPTO on 14 September 2006. The 30 month time period for paying the basic national fee in the United States expired at midnight on 10 September 2007. Applicants filed, *inter alia*, the basic national fee on 26 July 2006.

On 10 January 2007, applicants filed *inter alia* a declaration.

On 20 June 2008, a Filing Receipt and a Notice of Acceptance (Form PCT/DO/EO/903) were mailed to applicants, showing a completion date and 35 U.S.C. 371(c)(1), (2) and (4) date of "07/26/2006."

### DISCUSSION

Counsel requests correction of the records of the USPTO because the "correct filing date of the application should be: January 10, 2007." Review of the record reveals that a dual-language declaration was filed on 10 January 2007. Inspection of said declaration reveals that it does not appear to have been made on a form provided by the USPTO, and that the statement required under 37 CFR 1.69(b) has not been provided. As such, it would not be appropriate to accept the declaration at this time. In addition, the surcharge under 37 CFR 1.492(h) has not been paid.

The filing receipt and the Notice of Acceptance mailed on 20 June 2008 were both issued in error, and both are hereby **VACATED**.

### DECISION

Applicants' request is **DISMISSED**, without prejudice.

If reconsideration on the merits of this matter is desired, a proper response must be filed within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time may be obtained under 37 CFR 1.136(a). Failure to timely file a proper response will result in **ABANDONMENT**.

Please direct any further correspondence with respect to this matter to the Assistant Commissioner for Patents, Mail Stop PCT, P.O. Box 1450, Alexandria, VA 22313-1450, and address the contents of the letter to the attention of the Office of PCT Legal Administration.

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